

# FINAL COPY

## MINUTES OF A MEETING OF THE BINGHAMTON - JOHNSON CITY JOINT SEWAGE BOARD

**Tuesday, June 11, 2019**

Plant Administration Building

Members Present: George Kolba, Jr., Chairman *Pro Tem*  
Edward Crumb  
Steve Andrew  
Ronald Davis  
Ray Standish

Also Present: Craig A. Matias, Acting Superintendent  
Michele Cuevas, Confidential Secretary  
Charles Pearsall, Business Manager  
Howard Reeve, Facilities Engineer  
Chuck Robinson, Staff Accountant, City of Binghamton  
Chuck Shager, City of Binghamton Comptroller and Board Fiscal Officer  
(arrived at 4:10 PM; exit at 4:45 PM)  
Alfred Paniccia, Jr., Esq., Counsel  
Laura Lee Perkins

Guests: Dan Livingston, Binghamton Councilman     exited at 5:00 PM  
Adam Afify, CSEA     exited at 5:00 PM  
Gary Edwards, CSEA     exited at 5:00 PM  
Thorn Mendes, CSEA     exited at 5:00 PM  
Jeff Platsky, Binghamton Press     arrived at 3:35 PM;  
exited at 5:00 PM

George Kolba called the meeting to order at 3:30 PM. All Board Members were present. It is noted that the Board is still without a third representative from the City of Binghamton.

Attendance sheet was passed for signatures. Fire exits were identified.

Edward Crumb made a motion for the Board to approve the Minutes of the 3/12/19 meeting in the form found in the Board folders with changes as shown.

Ronald Davis seconded the motion

Motion carried 5/0/1 vacant

Edward Crumb made a motion for the Board to approve the Minutes of the 4/9/19 meeting in the form found in the Board folder with changes as shown.

Steve Andrew seconded the motion  
Motion carried 5/0/1 vacant

Chuck Robinson presented the Fiscal Officer's Report:

1/1/19	<u>Beg. Balance</u>		
	Checking	\$1,426,925.29	
	Savings	<u>\$5,012,005.39</u>	
	Total		\$6,438,930.68
5/31/19	<u>Balance</u>		
	Checking	\$2,578,002.10	
	Money Market	<u>\$5,520,349.16</u>	
	Total		\$8,098,351.26

Mr. Robinson reported that there were no issues with the Revenues as shown in the Treasurer's Report; nothing unusual on other Reports.

Mr. Crumb stated that Chuck Shager is trying to get reconciliation between City Council and the Village Board regarding the 2018 final billing in relation to Lead Agency expenses; that may be what is holding up the bill. Legislation has not been passed by City Council to conform to what Johnson City approved, which was the modification on what the City had approved.

Edward Crumb reviewed the May Lead Agency Financial Reports in chart and graph form. The amount approved to pay under the Construction Contracts is approaching 86% without retainage and 89% with retainage. Mr. Crumb notes that the Construction Manager is still holding invoices for PC Construction (60 days) for documentation; just received their March invoice, which passed audit today; will be placed in line for Owner borrowings and payment.

Mr. Crumb also reported that on the graph report, the total pie graph gives a visual of where the project is, financially, at the end of May. The smaller pie graph is Professional Services; different colors because the Restoration and Rehabilitation is separate from solids handling, and the Supplemental Agreements for each are different colors; the flood wall engineering and preliminary engineering are different colors on the graph as well. The top right contains the actual construction and demolition cost graph. Pages 2 through 4 are bar graphs for each contract, one can see how far along each is in the payment process.

Charles Pearsall presented the Business Manager's Report:

Still waiting for indication that the process is ready to do jar testing. Mr. Crumb asked who had been contacted regarding this and asked if the hold-up was the construction, not Plant personnel.

Craig Matias reported that he is not sure if it is the contractor's responsibility to do the jar testing.

Mr. Crumb suggesting reaching out to Ron Lake concerning this.

Mr. Matias reported that he believes it has come up a couple of times at construction meetings. Steve Andrew inquired who performed the testing. Craig stated that the Lead Agency had to digest the sludge first to determine characteristics of it. Then the Lead Agency will determine what is the best product. Once the biology is established and the Lead Agency has a product to get a sample of on site, they can start the jar testing. Quandel is disputing its duties. Mr. Crumb stated that the Lead Agency Project Manager, Ron Lake, should address these problems. Mr. Kolba suggested finding out if this is in Quandel's area of responsibility.

Mr. Pearsall reported that he is still paying the DEC penalties.

Mr. Crumb informed the Board that he attended the Council work session last Monday; the City Council President was pretty strict about who could speak; he did not allow Craig Matias to speak. The RL for the budget transfer to pay the penalties did not get signed out by the Council. Mr. Crumb stated that he will be sending emails to a couple of Council members to see if they would reconsider that. They are under the misimpression that some representation has been made by the Construction Manager that they are going to have the first 8 cells of the BAF ready on August 31, 2019. To them it means, oh, we're good then. However, there is a period of up to 60 days to grow the biology and even though there might be a proposal to "seed" the biology with wastewater from another plant to start the process of biomass development, that does not take into account that in the summer, up to 25% of our bio-chemical oxygen demand influent loading to the BAF comes from one user, Frito Lay. That is a vegetable-type BOD from corn and potatoes that has not gone through a human or animal digestion process. It has much different characteristics from a wastewater treatment standpoint than does the BOD that comes in as sewage from human waste, animal waste, that comes through the sewer system that has been through a digestion process. The idea that you can seed the biology of the BAF, unless it is a plant that also has a potato chip or corn chip factory, you may not be successful. We all know that from looking at the Third Modification Consent Order for the Schedule A runs out on July 31<sup>st</sup> and a different Schedule A begins on August 1<sup>st</sup>. The DEC is definitely looking at what the effluent is going to be, not whether the construction is completed on the BAF by July 31<sup>st</sup> or August 31<sup>st</sup>. It behooves us to have these budget transfers approved, especially now that City Council seems to be a stumbling block. The Owners don't have the money to pay these stipulated penalties either. The City and the Village cannot use the money they are borrowing from the Environmental Facilities Corporation to make those payments; it is impermissible under the Project Financing Agreements. Even though the Board has no influence on the construction, the Owners look to the Board's budget for payment of fines and penalties. It is important to get the owners to understand that the DEC is going to be looking for the penalty money and if it is not paid on time, there are likely to be repercussions. The budget report indicates there is \$25,000 encumbered and there is \$15,000 in play. We can't pay that out of the \$25,000 without going into the red because when the Plant's SPDES renewal fee comes up, it is in the \$17,000 - \$18,000 range. The way the budget process works, we don't put the fines in the budget; we have money in Contingency so that it can be moved, but if the owners won't move the money, it can't

be used to pay the fines. The Owners Legislative bodies want to say well, Sewage Board, that's your problem; I beg to differ with them because the Sewage Board has no role in the construction.

Next item is methanol. Mr. Pearsall wanted to make the Board aware he had sent draft bidding documents around for review/comment and Ed Crumb and Al Panccia both responded. He wants to be ready to advertise because at the last Board meeting in May, Ron Lake reported that he was hopeful that the system could be started-up soon. Wants to know specifically which of several different 99.85% methanol specifications is compatible with the Kruger system. Steve Andrew suggested speaking to Kruger and George Kolba suggested speaking to GHD.

The Town of Vestal has not signed off on the methanol system. It is not complete. Mr. Andrew stated that Vestal was VERY specific regarding the leak detection and alarm systems. Michele Cuevas will need to add the methanol storage tanks to the Plant's Chemical Bulk Storage registration certificate with NYS-DEC.

Charles Pearsall has a supplier that will deliver to Vestal at \$1.36 per gallon on a monthly basis.

Mr. Kolba inquired as to whether anyone was methanol certified yet. Craig said yes.

Mr. Pearsall is waiting for VERY specific methanol composition before going out to bid.

2020 Budget schedule -- 6/27 for Acting Superintendent to submit proposed budget to Board Members.

Charles Pearsall asked Howard Weaver if Simmons had their revised proposal. Howard was expecting the Board to provide something; Mr. Pearsall was waiting for Simmons to provide something. It was noted that the Board can only obligate funding in the current year's budget through 12/31/2019 and that up to \$170,000.00 could be made available for this time period.

Craig Matias presented the Superintendent's Report, a copy of which appears below:

### **Violations and Significant Issues**

**Compliance**

<b>Date: May 2019 Average Flow 17.13MGD</b>	<b>Influent</b>	<b>Effluent</b>	<b>Average % Removal</b>	<b>Effluent Limit</b>
<b>CBOD mg/l</b>	158mg/l	85mg/l 15.837lbs/day	46.21%	Monitor until Jan 1, 2018 then 5,254lbs/day. \$5K Fine
<b>Suspended Solids mg/l</b>	176 mg/l	49mg/l 9,129lbs/day	72.16%	Monitor until Jan 1, 2018 then 5,828lbs/day. \$5K Fine
Other: Settleable Solids Max ml/l	87ml/l	0.53ml/l	93.91%	Monitor
Total Nitrogen mg/l	Apr 2019 23.8 mg/l	Apr 2019 19.7 mg/l	17.23%	Monitor
Chlorine mg/l	NA	1.39 Max	NA	2.0Max.
Avg. Temperature	14.1	14.3		

<b>Solids Removed</b>	<b>Feb 2019</b>	<b>Mar 2019</b>	<b>Apr 2019</b>	<b>May 2019</b>
<b>Digested</b>	0	0	0	0
<b>Lime Stabilized</b>	462.10	558.97	639.46	665.95
<b>Total</b>	462.10	558.97	639.46	665.95
<b>Grit</b>	0	0	0	0
<b>Screenings</b>	3.87	0	2.5	5.63
<b>Grease</b>	0.92	7.32	9.83	7.74

**Construction Topics:**

- Head House Main Pump Suction Valve appear to be installed backwards, according to Plant Staff’s observations and manufacturing specification. We are still researching with vendor to verify installation. The vendor has confirmed our observations that they are installed backwards. This is a very touchy subject. There is a corrective action plan, but, to-date, Plant staff has not been made aware of that plan.
- The installation crew does not feel that the valve is installed incorrectly. The Plant staff pointed out the correct installation on the valve casing. Craig is hoping they will agree now. Mr. Crumb asked for a picture or diagram that shows the problem. A diagram was provided to the Board members and explained. Mr. Crumb wants it noted that the Owners hired a private entity to perform this work (i.e., this is not work performed by governmental employees).
- The Sampling Manhole slide gate still needs grouting to repair leaks.
- Lab Construction – east side completed. Town of Vestal will not issue a Certificate of Occupancy for the east side of the Lab. Construction of the west side of the lab is on hold until someone makes a decision. Howard Reeve reported it would cost \$8,000 a

month for a lab trailer rental.

- Front steps to Administration Building still need repairs as there is puddling/standing water, which will freeze in cold weather.

### **Other Issues**

- Pictures/videos at the BJCWWTP -- should Plant Staff now be required to enforce a “No Picture Policy”? and does that include everyone – politicians, Board members, staff, construction workers, construction management, potential bidders for the privatization? *Mr. Kolba pointed out that everyone already had the pictures; it was too late. He stated that everything that was photographed was visible. No one was taken into ‘private’ areas of the Plant. Craig Matias stated that there are no “restricted” areas. Mr. Crumb pointed out that it was the Owner’s RFQ. Mr. Pearsall stated that photographs cannot contain anyone’s face and no flash pictures are allowed. Mr. Paniccia – if people are taking photographs during course of construction, who are not under the control of the Board, then the Board should not be involved. Mr. Robinson stated that no cameras or videos should be allowed without permission from the Owners. It was noted that photographs taken by Jacobs, the Owners’ Construction Management Firm, are posted on the DEC’s website.*
- Digester #1, 2 & 3 Contract #10 supernatant valves are the original (vintage 1966 and 1974) valves and are not scheduled for replacement. The replacement of these valves was missed (*by the Owners and the Engineers*). If the Plant is now responsible for replacement of these valves, we need to expedite replacement/procurement. Jim Ross has 3 price quotes; lead time on these valves is 3 to 7 days.
- I will need Board approval for travel allowances for 2 employees to attend school at SUNY Morrisville. I have 1 employee attending 2 classes (Basic Operations and Basic Laboratory). Travel allowance \$750.00. The other employee will be attending Basic Laboratory; travel allowance \$250.00.

Steve Andrew made a motion for the Board to approve the travel allowance for the 2 employees to attend SUNY Morrisville per our travel policy.

George Kolba seconded the motion

Motion carried 5/0/1 vacant

Craig Matias introduced Thorn Mendes, a Lead Shift Operator on 3<sup>rd</sup> shift, who provided handouts regarding new logos, names, public relations suggestions.

Craig Matias informed the Board that Bob Joseph (radio broadcaster) had reached out to him to take a tour of the Plant. He is scheduled to come on Thursday at 1 PM. Mr. Kolba suggested having some Board members and Plant staff conduct the tour. Mr. Crumb suggested consulting with the Construction Manager and Engineering Firm regarding any areas where work is being performed that would be “off limits” for safety reasons.

### **Committee Reports:**

George Kolba – Construction – already covered

Steve Andrew – Construction – will request tour from Jacobs and will notify Board members if anyone else is interested in attending

Edward Crumb made a motion for the Board to ratify the 2020 budget preparation schedule as presented.

Steve Andrew seconded the motion

Motion carried 5/0/1 vacant

Edward Crumb – Finance – it was noted that the Board needs to modify the budget to release the 2014 Deferred Revenue reserve so that these funds can be used to pay for the Kruger media bill to PC Construction (\$500,000). Mr. Shager wanted it noted that the Business Manager had not prepared anything on this in his Business Manager's Report.

Edward Crumb – Flow Management – nothing to report

Ron Davis – Ad Hoc – nothing to report

Steve Andrew – Personnel – meeting with Union on Monday at 9 AM re various collective bargaining items.

Correspondence – see Board folder

Howard Reeve would like to do some computer maintenance training; 15 to 20 people x 3 days, with an estimated cost of \$5,250.00.

Edward Crumb stated the Board would require a proposal with more specific information.

Steve Andrew made a motion for the Board to adjourn.

Ray Standish seconded the motion

Motion carried 5/0/1 vacant

Meeting adjourned at 5:12 PM

Respectfully submitted,

Laura Lee Perkins  
Transcriptionist

cc: Board Members  
Mayor Rich David, City of Binghamton  
Mayor Greg Deemie, Village of Johnson City  
City Clerk, City of Binghamton  
Village Clerk/Treasurer, Village of Johnson City  
Alfred Paniccia, Esq.  
Chuck Shager, Fiscal Officer  
Craig Matias, Acting Superintendent  
Brown & Brown Empire State  
Haylor Freyer & Coon  
Robert Bennett, P.E., Village of Johnson City, Engineer  
Ray Standish, P.E., City of Binghamton, City Engineer  
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